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Supreme Court, U.S.
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No. 00-755

IN THE

Supreme Court of the United States

SAN FRANCISCO BASEBALL ASSOCIATES L.P., d/b/a SAN FRANCISCO GIANTS, *et al.*,

Petitioners,

v.

YAN CARLOS RAVELO MONEGRO, *et al.*,

Respondents.

On Petition for a Writ of Certiorari to the United States Court of Appeals for the Ninth Circuit

RESPONSE BRIEF IN SUPPORT OF PETITION FOR CERTIORARI

MIGUEL REYES
Calle Altagracia, No. 39
Villa Velazquez
San Pedro de Macoris
Dominican Republic
Tel. (809) 529-2589
Fax. (809) 246-0154

JORGE L. ARROYO-ALEJANDRO*
SARRAGA & ARROYO
Suite 201, Metroparque VII Bldg.
Metro Office Park
San Juan, Puerto Rico 00968
Tel. (787) 783-0505
Fax. (787) 783-2045

Counsel for Respondent Luis Rosa

* Counsel of Record

December 4, 2000

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LIST OF PARTIES AND AFFILIATES

Respondent Luis Rosa was a defendant-appellee below. In addition to the parties listed in the caption, Jack Hiatt is a petitioner in this Court, and was a defendant-appellee below.

The following were plaintiffs-appellants below:

Nelson Rolando Gonzalez Sosa;

Franklin Alvares Galvez;

Fafael Micael De La Cruz;

Francisco De Los Santos Heredia;

Porfirio Alfred Vasquez Mota;

Manuel Acevedo;

Angel Esteban Guillen Solano;

Carlos Celedonio Sujilio;

Edelmiro Reyes Santana;

Ignacio Henriquez De La Rosa;

Fernando Romero;

Tulio Miguel Lizardo Nolosco.

RESPONSE BRIEF IN SUPPORT OF PETITION FOR CERTIORARI

Respondent Luis Rosa ("Rosa") submits this pleading in support of the petition for certiorari of petitioners San Francisco Baseball Associates L.P. ("San Francisco Giants" or "Giants") and Jack Hiatt. Rosa joins the Giants in seeking the review and reversal of the Ninth Circuit Court of Appeals decision in *Monegro v. Rosa*, 211 F.3d 509 (9th Cir. 2000). Rosa has reviewed and agrees in full with the statements and arguments presented in the Giants' petition, including the recitation of the factual background of the case, the procedural status of the case in the Dominican Republic, and the compelling reasons why certiorari should be granted.

It is also important for the United States Supreme Court to understand that Rosa has and will continue to vigorously defend himself against the allegations made against him in the Dominican Republic. He has a long and distinguished career in baseball that has been unfairly tarnished by the allegations made in this matter. In furtherance of his defense, he has retained the undersigned counsel to represent him in the United States and in the Dominican Republic.

The decision of the Ninth Circuit Court of Appeals in this case is particularly inappropriate when applied to Rosa. As a resident of Puerto Rico, he is now faced with the possibility of having to defend himself simultaneously in parallel proceedings concerning the same factual allegations in two different and remote jurisdictions, the Dominican Republic and the United States District Court in San Francisco, California. This outcome is particularly burdensome and onerous when applied to Rosa. The original order of dismissal on grounds of *forum non conveniens* was carefully considered and appropriate given all of the circumstances presented in this case.

Rosa hereby joins the Petition for a Writ of Certiorari filed by the San Francisco Giants and looks forward to complete vindication in the courts of the Dominican Republic.

CONCLUSION

This Court should grant the Petition for a Writ of Certiorari and reverse the erroneous ruling of the Ninth Circuit Court of Appeals.

Respectfully submitted,

MIGUEL REYES
Calle Altagracia, No. 39
Villa Velazquez
San Pedro de Macoris
Dominican Republic
Tel. (809) 529-2589
Fax. (809) 246-0154

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